

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSTEN L. DENWOOD,

Defendant.

Case No. 21-cr-40052-JPG-7

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Josten L. Denwood's two nearly identical motions for the docket sheet, copies of his plea agreement, and his sentencing transcript (Docs. 527 & 529). The transcript he seeks was prepared for use in his direct appeal (Doc. 523), which concluded April 28, 2025, when the Court of Appeals issued the mandate (Doc. 528). Denwood asserts that he is entitled to the documents he seeks for free because the Court found he was not able to afford his criminal defense, but he does not identify any purpose for which he seeks the documents.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requester to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for some specific non-frivolous court action. *See United*

States v. Wilkinson, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Denwood has failed on all three accounts. Accordingly, the Court **DENIES** his motions (Docs. 527 & 529) **without prejudice** to a motion addressing the relevant points as set forth above.

IT IS SO ORDERED.
DATED: June 23, 2025

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE